

MESSAGE NO: 7361201 MESSAGE DATE: 12/27/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 7319203
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/2005 TO 04/30/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR BALL BEARINGS FROM JAPAN PRODUCED BY
NSK LTD.(EXCEPT THOSE COVERED BY INJUNCTION MESSAGE 7319203) (A-588-201-008)

MESSAGE NO: 7361201

DATE: 12 27 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 7319203

REFERENCE DATE: 11 14 2007

CASES: A - 588 - 201

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PERIOD COVERED: 05 01 2005 TO 04 30 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR BALL BEARINGS FROM JAPAN
PRODUCED BY NSK LTD.(EXCEPT THOSE COVERED BY INJUNCTION
MESSAGE 7319203) (A-588-201-008)

1. UNTIL FURTHER INSTRUCTED, CONTINUE TO SUSPEND LIQUIDATION
FOR ENTRIES COVERED BY INJUNCTION MESSAGE NUMBER 7319203 DATED
11/14/2007.
2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT
REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF
BALL BEARINGS AND PARTS THEREOF FROM JAPAN PRODUCED BY NSK LTD.,
ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE

PERIOD 05/01/2005 THROUGH 04/30/2006, ENTERED UNDER CASE NUMBER A-588-201-008, AND NOT COVERED BY PARAGRAPH THREE OF MESSAGE NUMBER 7319203 DATED 11/14/2007 OR OTHER EXPORTER-SPECIFIC INSTRUCTIONS, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR BALL BEARINGS AND PARTS THEREOF FROM JAPAN IS 45.83 PERCENT.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 05/01/2005 THROUGH 04/30/2006 COVERED BY PARAGRAPH 2 ABOVE OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (72 FR 58053, DATED 10/12/2007). FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM JAPAN YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER WHICH IS MAY 15, 1989. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS

AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5: LJ).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

ANNE MARICICH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party